

****NOT FOR PRINTED PUBLICATION****

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION


SANDOZ INC.,

Plaintiff,

V.

M & S PHARMACY, INC., DAVID G.
BRADLEY, GARTH A. HINZE, DAVID R.
HUMPHRIES, and BEN EUGENE JACOB,

Defendants.



CASE NO. 9:19-CV-232-RC-ZJH

ORDER ACCEPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

The court referred this case to the Honorable Zack Hawthorn, United States Magistrate Judge, for all pretrial matters. On December 21, 2020, Judge Hawthorn issued a Report and Recommendation (Doc. #47) denying Defendants' Motion to Dismiss Amended Complaint for Failure to State a Claim (Doc. #39). To date, the parties have not filed objections to the report and recommendation and the time for doing so has passed.

After a *de novo* review, pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the court agrees with Judge Hawthorn's recommended disposition and **ACCEPTS** the Report and Recommendation (Doc. #47). Defendants' Motion to Dismiss Plaintiffs' First Amended Complaint (Doc. #39) is **DENIED**.

So ORDERED and SIGNED, Jan 13, 2021.

Tom Clark

Ron Clark
Senior Judge